



26716US-45 SO/stu

Attorney Docket: _____

DECLARATION, POWER OF ATTORNEY, AND PETITION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names.

We believe we are the original, first and sole inventors of the subject matter which is claimed and for which a Utility Patent is sought on the invention entitled: **CHEEK AND LIP RETRACTOR FOR DENTISTRY**

the specification of which (check one below):

() is attached hereto.

☒ was filed on March 17, 2004, as Application Serial No. 10/803,138 or Express Mail No. _____, and was amended on _____ (if applicable).

() was filed on _____ as PCT International Application No. _____ and as amended under PCT Article 19 on _____ (if any).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claim, as amended by any amendment referred to above.

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed?

<u>2003 0432/03</u> (Number)	<u>Switzerland</u> (Country)	<u>17.03.2003</u> Day/Month/Year Filed	(X) Yes () No
<u> </u> (Number)	<u> </u> (Country)	<u> </u> Day/Month/Year Filed	() Yes () No
<u> </u> (Number)	<u> </u> (Country)	<u> </u> Day/Month/Year Filed	() Yes () No

We hereby claim the benefit under Title 35, United States Code, §120 and/or §119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u> </u> (Serial No.)	<u> </u> (Filing Date)	<u> </u> (Status: Patented, Pending, or Abandoned)
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DESIGNATION OF DOMESTIC REPRESENTATIVE

Donald F. Frei, of the law firm of Wood, Herron & Evans, L.L.P., whose postal address is 2700 Carew Tower, 441 Vine Street, Cincinnati, Ohio 45202, is hereby designated applicant's representative upon whom notice or process in proceedings affecting the mark may be served.

We hereby appoint John D. Poffenberger (R. No. 20,245), Bruce Tittel (R. No. 22,324), Donald F. Frei (R. No. 21,190), David J. Josephic (R. No. 22,849), David S. Stallard (R. No. 25,930), J. Robert Chambers (R. No. 25,448), Gregory J. Lunn (R. No. 29,945), Kurt L. Grossman (R. No. 29,799), Clement H. Luken, Jr. (R. No. 32,742), Thomas J. Burger (R. No. 32,662), Gregory F. Ahrens (R. No. 32,957), Wayne L. Jacobs (R. No. 35,553), Kurt A. Summe (R. No. 36,023), Kevin G. Rooney (R. No. 36,330), Keith R. Haupt (R. No. 37,638),

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Telephone (513) 241-2324

Wherefore we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, and we hereby subscribe our names to the foregoing specification and claim, declaration, power of attorney, and this petition.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Inventor Beat KILCHER

Inventor's Signature Beat Kille Date 05.03.2004

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